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App F IX 4

Previous References 1937 (mil)

File No 139 37

Serial Nos 13, 26

Letter References

GENERAL AND REVENUE SECRETARIAT.

Serial Nos Jwo

Part B for July 38

SUBJECT

Introduction of Draft bye laws for the Registration of births and deaths in the town mullies

SL 25 | Do
The Dr Bangalore
D P H
No 4 2367 d 8 7 38

WD 0418—GPB—22,500—29-8-36

Approves the bye laws

207

Bye laws

General and Revenue Secretariat | Ml File No 139 of 1937 | [App F III–2

Serial No. 11-13

From the Dy Comr Bellary

Letrs Nos C2-2442/37-38 & C2-2443/37-38 dated 26 5 38 forwarding for sanction the bye-laws framed by the Corporation under (1) the Compulsory Registration of Marriages and (2) for the registration of births and deaths

The bye laws are based on the Model bye laws published in the Report of the Committee on Vital Statistics 1936-37.

All the prescribed formalities are reported to have been observed and that no objections were received against the adoption of the bye laws

Submitted with a draft G.O. for approval

The bye laws have been scrutinised with reference to those already sanctioned

10 6 38

Levy 4/5/38

Perm

2 2916/-

To the Dy Comr Bellary & the City Mag

dated 7 6 38

Approving the bye laws

30 6 38

2 5101-

TYPED BY [illegible] 1938 25 S GEN & REV SECTT

NOTE—Govtn. Subst. 11.6.38

File No of 193

General and Revenue Secretariat

Serial No

08

In all future communications please quote
No C2.2443/37-38.
Enc File.

Tel. Address.—"DEPCOM"
Post Box No 34

OFFICE OF THE DEPUTY COMMISSIONER,
BANGALORE DISTRICT

Dated, Bangalore, the 26th May *1938*

Rel 139-37-13.

From

ABDUL AZIZ KHAN, ESQ., B.A.,
Deputy Commissioner,
Bangalore District

To

P. H. KRISHNA RAU, ESQ., M.A.,
Secretary,
to the Government of Mysore
L.S.G. Department,
Bangalore.

SIR,

Subject —

With reference to your letter No.L.6096-97/Ml.139-37-3 dated 15-1-1938, re: the introduction of Draft Bye-laws for the registration of Births and Deaths in the Town Municipalities, I have the honour to forward herewith entire file of correspondence received from the President, Closepet Municipal Council on the above subject and to state that the formalities prescribed under the Municipalities Act have been observed. The Municipal Council before whom the subjec was placed have resolved on 28-2-1938 that the Draft Byelaws may be introduced in the Town. Accordingly, a notification callin' for objections from the public on the above subject, was issued. The President states that as no objections were received from the public, the Municipal Council finally resolved on 30-4-1938 that sanction of Government may kindly be obtained for the draft Byelaws.

I request you, therefore, to be so good as to obtain sanction of Government for the draft Bye-laws as approved by the Municipal Coun

I have the honour to be,
S i r,
Your most obedient servant,

FOR DEPUTY COMMISSIONER,
BANGALORE DISTRICT.
(ABSENT FROM HEADQUARTERS)

SVS.26-5-38.

~~Draft Rules~~ Bye-laws for the Registration of births and deaths in ~~the~~ Municipalities

(~~Framed~~ under section 48 (1) (g) of the Town Municipal Regulation VIII of 1933, and Section 28 (1))

1 For the Purpose of these ~~rules~~ bye-laws

(a) The ~~term~~ "division" means the area in which any Registrar of Births and Deaths is appointed to Perform his functions

(b) The term "occupier includes any person for the time being Paying or liable to Pay to the owner the rent or any Portion of rent of the land or building in respect of which the word is used

(c) The term 'President' means the President of the Municipal Council for the time being

(d) The term 'Public institution includes a Prison lock-up, lunatic asylum hospital reformatory, Industrial school barrack, and any charitable or other institution, which is under the management of a Public body, officer or Person

(e) The term Registrar' means and includes any Person who may be appointed by the President as a Registrar of Births and Deaths for any division of a Municipality

(f) The term Registrar-General means the Director of Public Health to the Government of Mysore for the time being

(g) The terms " Still-born" or Still-birth" have reference to a child born after the 28th week of gestation as dead or apparently dead and not called back to life

2 For the Proper registration of all births and deaths, the Municipality shall be divided into Divisions

and for every such Division a Registrar of Births and Deaths shall be appointed

3) Every Registrar shall reside at some conveniently central place within the Division of which he is Registrar, and shall cause his name with his designation as Registrar of Births and deaths for the Division for which he is so appointed, in English and Kanarese, to be placed in some conspicuous place on or near the outer door of his office

4) In case the Registrar is unable for more than a week to attend to his duties on account of illness or other urgent cause, he shall report the fact to the President, who shall at once make temporary arrangements for the performance of the duties of the Registrar, and any person thus temporarily appointed shall be held to be the Registrar for the purpose of these rules The President shall report the arrangements made to the Registrar General

5) Information covering all the particulars specified in Form No V S 1 (b) appended shall be given to the Registrar of the Division within one week after the day of birth regarding every birth that takes Place within the Municipal limits

The duty of giving notice of births is laid, in the first instance, upon the father, Provided that the child is legitimate and that the father is in the Municipality

In the absence of the father and in all cases of births of illegitimate children, the duty is laid on the mother, Provided her health permits

Should both father and mother be unable or fail to give notice, the duty is laid on the medical officer or midwife attending the mother

Where there is no medical officer or midwife, the duty is laid upon the occupier of the building in which the birth takes place

6) Information regarding the death of any Person dying within the Municipal limits, covering the several Particulars Prescribed in Form No V S 2 (6) appended shall, within 36 hours of such death, be given to the Registrar of the Division

The duty of giving such notice is laid, in the first instance, upon the nearest relative of the deceased Person who has been Present during his illness

Failing such relative, it is laid upon the medical officer who attended the deceased Person

Where there is no medical officer, the duty is laid upon the Occupier of the building in which the death occurred

7) The above bye laws do not apply to the case of a birth or death occuring in a Public Institution In that case the duty of sending the notice is laid upon the officer in charge of the Institution

8) In Cases of the discovery of dead bodies, whether of newly born children or otherwise, it shall be the duty of the Police Station Officer within whose Jurisdiction any such body is found to report to the Registrar such Particulars as are available for the Purpose of the entries to be made in the register of deaths as well as, in the case of the bodies of newly born children, in the register of births

9) Should the President so order, every Person who Conducts the funeral obsequies of any Person dying within the Municipal limits, and any Person who is Placed in charge of a graveyard, burning ground or other Place of burial or cremation, shall furnish the Registrar with such information as he may be required by the President to furnish regarding any funeral obsequies Conducted by him

or any burials or cremations that have taken place within the premises committed to his charge, as the case may be

10) Every Registrar shall inform himself carefully of every birth and death which takes place in his division, and shall register, as soon as conveniently may be after the event, without fee or reward, the particulars required to be registered under Rule 11 touching every such birth or death, as the case may be, which have not been already registered

11) The Register of Births shall be maintained in Form No V S 1 (b) and the Register of Deaths in Form No V S 2(b) appended, in Original, duplicate and triplicate

12) In each of these registers the occurrences registered shall be numbered serially, the series of numbers running from 1st January to 31st December. No entry shall be interpolated between two serial numbers

13) All information received by the Registrar in writing in Connection with the registration of any birth or death shall be filed by him and preserved for two years

14 A special Column in the register of births is Provided for the entry of still-births, which are not included in the statistics either of births or of deaths

16 In the case of a child which is born alive but dies before its birth has been registered, the Registrar shall enter the birth in the Register of Births and the death in the Register of Deaths.

16) Each Register shall consist of 1,098 Pages — 366 original 366 duplicate, and 366 triplicate — and shall be used continuously for a Period of one year The Superintendent, Government Press, will Print these registers and issue them to the Presidents for distribution to the Registrars Concerned at least by the end of November of each year

17) The triplicate Pages which have been written up during every day shall be detached at the Performation and sent by the Registrar to the President of the Municipality before the close of the following day The Particulars shall thereupon be Posted into the Consolidated registers of births and deaths which shall be maintained in each Municipality.

If during any day no births or deaths have occurred, the triplicate form should be sent with the remark "Nil" written thereon

18) The duplicate Pages shall be similarly detached at the Performation and sent to the President, who, after scrutinizing the returns Carefully, should forward them in a bundle to the Registrar-General so as to reach him on or before the close of the third day following

19) A set of Posting registers showing the names of the Registrars will be maintained in the office of the President, in which the returns received will be Posted as they come in When these registers show that the return for any day is 48 hours overdue, a reminder will be sent to the Registrar The President will take disciplinary action against Registrars who are frequently in default

20) The returns received in the Central Statistical office will be abstracted and Posted into registers for Purposes of Compilation

21) As soon as the required information has been abstracted and Posted the returns for each month will be filed in racks At the close of each year the returns will be transferred to Record These returns will be retained as Permanent Records

22) The statistics so abstracted will be Published for the information of the authorities Concerned and of the Public with a review of the same, Weekly, monthly and quarterly

23) Each register of Births shall be Retained in the Custody of the Registrar for one year after it is closed, and shall then be sent to the President who, after Careful scrutiny of all Unattested erasures and alterations, shall file it as a Permanent record

24 It shall be the duty of the Registrar to Produce his register of births before the midwife and the Vaccinator, respectively, to enter their Initials, with such remarks as may be called for, against the Cases in which they have attended at the birth of a child, or Vaccinated it, as the Case may be

26 The City Magistrate the Health Officer and any Sanitary Inspector of the Area may be and any Inspector, of the Local Sanitary Authority shall Cursorily inspect the registers of births and deaths, make such checks by enquiry, instruct the Registrar as to the discharge of his duties, and exercise a general supervision over the work of the Registrar The registers shall be

checked at least once a week by the Sanitary inspector and the entries verified should bear the initials of the checking officer with date of check.

In the Case of Town and Minor Municipalities the District Sanitary officer and the Sanitary Inspector, or the Assistant Sanitary Inspector, as the Case may be, shall Perform the duties of the Health Officer and the Sanitary Inspector Prescribed in the Preceding Paragraph

26 Every error found in the register of births or in the register of deaths shall be corrected by drawing a line through the original entry (but-not so as to render it illegible) and writing the new entry above it, and the Correction shall be fully signed and dated by the Registrar, if the error be discovered by him, and by both the Registrar, and the checking officer, if the error be discovered by a checking officer All such Corrections shall be duly intimated to the Registrar-General through the President with the reasons therefor The Corrections, when approved by the Registrar-General, will be made in the returns filed in the Central Statistical office, and due information will be" send to the Presidents for informing the Registrars Concerned

Provided that no entry shall be Corrected under this rule more than a year after the entry has been made except with the previous sanction of the President

8)

27 The Registrar shall, on receipt of the registration of the birth of a child has been completed, give, on application, free of all charges, to the Person who gives information of the birth, an extract under his hand from the register relating to such birth For Purposes of this bylaw the register will be the Register of Originals kept by the Registrar.

28) Any Person may at any reasonable time, on Payment of a fee of four annas for each visit, Search any register of births and deaths For Purposes of this bylaw the register of births and deaths will be the returns sent daily by the Registrar through the President to the Registrar-General and filed in the Central Statistical office, or in the case of occurrences Prior to the coming into force of these bylaws, the Registers filed in the office of the President

29) Any Person requiring a Certificate of birth or death may Put in an application affixing a one-anna Court-fee stamp and enclose an eight-anna Court-fee stamp to be affixed to the Certificate

The application should state clearly

(i) The name and father's name of the Party in relation to whose birth or death a Certificate is required

(ii) The date, month and year of the occurrence

(iii) The name of the street and the division where the event occurred, and

(iv) The Postal address of the applicant.

For Specimen Copy

The application may be addressed either to the Registrar-General or to the President, who will forward it to the Registrar-General. On receipt of such an application the Registrar-General will cause the duplicate return relating to the occurrence to be traced and a true copy of the same to be issued over his signature and sent to the President to be given to the Party concerned. Such extracts shall be certified as provided in Section 76 of the Indian Evidence Act 1972, and may be produced in proof of the contents of which they purport to be copies.

The above bylaw will be applicable only to occurrences taking place after these rules have come into force. In regard to occurrences prior to that date, the old bylaw will continue as follows.

Every Person applying for a certified extract from registers of births and deaths shall affix on his or her application one half-a-rupee Court-fee stamp for the authenticated extract, and if the extract required is from the registers of a place other than that in which the application is made, an additional stamp fee of half-a-rupee shall be charged, except Copying fees payable to Corporation, which should be paid in Cash, all other fees being paid in advance and in Court-fee stamps affixed to the application. Such extracts shall be signed by the President and sealed with the seal of the Council.

30) Any Person whose duty it is to give information under the Preceding bylaws and who neglects

or refuses to give such information or gives false information, shall be liable on conviction to a fine not exceeding ten rupees.

Legislative power

Sd/-

Byelaws
~~Draft rules~~ for ~~enforcing~~ the Compulsory registration of Marriages in ~~City and~~ Taluk Town Municipalities

[Framed under Section ~~51 (1) (f) of the City Municipal Regulation VII of 1933~~, and Section 48 (1) (f) of the Town Municipal Regulation VIII of 1933]

The Registrar-General of Births and Deaths who shall be the Director of Public Health to the Government of Mysore for the time being, shall also act as the Registrar-General of Marriages

Similarly the Registrars of Births and Deaths shall act as the Registrars of Marriages

2 The registration of a marriage will be a record of the fact of marriage and will in no way affect the validity of the marriage

3 Information Covering all the Particulars specified in Form No V S 3(b) appended shall be given to the Registrar of the Division within one week after the day of marriage regarding every marriage that takes Place within the Municipal limits

The duty of giving notice of a marriage is cast in the first instance upon the father, mother or guardian of the bride and bridegroom

Should there be unable or fail to give notice the duty is laid on the Priest in attendance at the marriage

4 Every Registrar shall inform himself carefully of every marriage which takes Place in his Division and shall register, as soon as Conveniently may be after the event, without fee or reward, the Particulars required

bylaws

to be registered under Rule 5, touching every such marriage which was not already been registered

5 The Register of Marriages shall be maintained in Form No V S 3 (6) appended in original, duplicate and triplicate

6 In the register the occurrences registered shall be numbered serially, the series of numbers running from 1st January to 31st December for each year No entry shall be interpolated between two serial numbers

7 All information received by the Registrar in writing in connection with the registration of marriages shall be filed by him and preserved for two years.

8 Each Register shall consist of 72 Pages - 24 original, 24 duplicate and 24 triplicate - and shall be used continuously for a period of two years The Superintendent, Government Press, will print these registers and issue them direct to the Presidents for distribution to the Registrars Concerned, so as to reach them at least by the end of November of each alternate year

9 The triplicate Pages which have been written up during each month shall be detached at the Conference and sent by the Registrar to the President of the Municipality so as to reach him on or before the 5th of each month for being Posted into the Consolidated ~~Register of Marriages~~ registers of marriages which shall be maintained in each Municipality

If during any month no marriages have taken place, the triplicate form should be sent with the remark "Nil" written thereon

10 The duplicate pages shall be carefully detached at the perforation and sent to the President so as to reach him on or before the 5th of each month On receipt of these returns the President, after scrutinizing them carefully should forward them in a bundle to the Registrar-General so as to reach him on or before 8th of each month when however, some returns are not received on the due dates reminders should immediately be sent to the defaulting Registrars and after obtaining these returns all such late returns should be forwarded in a second batch so as to reach the Registrar-General on or before the 18th of the month

11 A set of Posting registers showing the names of the Registrars will be maintained in the office of the President in which the returns received will be posted as they come in When these registers show that returns have not been received by the 8th of the month, a reminder will be sent to the Registrars The President will keep a Posting register of reminders received from the Registrar-General and of reminders issued to the Registrars and will initiate disciplinary action against Registrars who are frequently in default

The Procedure in the Central Statistical office in respect of these returns will be the same as in the case of births and deaths

12 Each register of Originals shall be retained in the Custody of the Registrar for two years after it is closed and shall then be sent to the President who, after careful Scrutiny of all unattested erasures and alterations shall file it as a Permanent Record

13. Every ~~error~~ or ~~[illegible]~~ in the register of marriages shall be Corrected by drawing a line through the original entry (but not so as to render it illegible) and writing the new entry above it, and the Correction shall be fully signed and dated by the Registrar All such Corrections shall be duly intimated to the Registrar-General through the President with the reasons therefor The Corrections, when approved by the Registrar-General, will be made in the returns filed in the Central Statistical office and intimation will be given to the Presidents for intimating the Registrars Concerned

Provided that no entry shall be corrected under this rule more than a year after the entry has been made except with the previous sanction of the President

14 The Registrar shall, as soon as the registration of a marriage has been Completed give, on application, free of all charges, to the Person who gives information of the marriage an extract under his hand from the register relating to such marriage For Purposes of this bye-law rule the register will be the register of originals kept by the Registrar

15) Any Person may, at any reasonable time, on Payment of a fee of four annas for each search any register of marriages For Purposes of this bye-law rule the register of marriages will be the returns sent monthly by the Registrar through the President to the Registrar-General and

b)

filed in the Central Statistical office

16 Any Person requiring a certificate of marriage may put in an application affixing a one-anna Court-fee stamp and enclose an eight-anna Court-fee stamp to be affixed to the certificate

The application should state clearly

(i) The name and father's name of the Party in relation to whose marriage a certificate is required

(ii) The date, month and year of the occurrence

(iii) The name of the street and the division where the event occurred, and

(iv) The Postal address of the applicant for Copy.

The application may be addressed either to the Registrar-General or to the President who will forward it to the Registrar-General on receipt of such an application, the Registrar-General will cause the return relating to the occurrence to be traced and a Free Copy of the same to be issued over his signature and sent to the President for being given to the Parties concerned

17 Any Person whose duty it is to give information under the Preceding Rules and who neglects or refuses to give such information or gives false information, shall be liable to a fine not exceeding ten Rupees

G. R. S. App F VI—G 2]

SUBJECT .. ..

.. ..

Diary No of letter replied to

Section Mc

File No 129-37

Serial No. 25

General and Revenue Secretariat

( )

the *193*

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue ... 193

Signed by ... ...

Read—

No C2-2442/37-38 and C2-2443/37-38 dated 24.5.38 from the Secretary to the Government forwarding for sanction the draft by-laws framed by the Closepet Town Municipal Council under section 68 (1) (f) of the Town Municipalities Act, 1933 for the compulsory registration of marriages and (2) for the registration of births and deaths and reporting that all the prescribed formalities have been observed and no objections were received against their adoption

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(vi) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ?

Order thereon—No.

Order No 2367

. The bye-laws are approved and appended to this order.

Ten printed copies of each of the bye-laws may be sent to the Secretary for record

Sec of State

2/1916

Local Gov Bd

Chancellor

List of Enclosures

To the Lords Commissioners of His Majesty's Treasury

The Local Government Board

The Board of Public Health

Copied by

Examined by

WD 0000—GPB—00,000—16-8-07

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

Read –

Letters No C2-2442/37-38 and C2-2443/37-8 dated 26th May 1938 from the Deputy Commissioner Bangalore District forwarding for sanction draft bye-laws framed by the Closepet Town Municipal Council under section 48(1)(z) of the Town Municipalities Act, 1933 (1) for the compulsory registration of marriages and (2) for the registration of births and deaths and reporting that all the prescribed formalities have been observed and no objections were received against their adoption

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ORDER NO. L 236-7/Sel 139-37-75

Bangalore dated 8th July 1938

The bye-laws are approved and appended to this order

Ten printed copies of each of the bye-laws may be sent to the Secretariat for reference and record

for Secretary to Government,
Local Self-Government Department

To

The Deputy Commissioner, Bangalore District (with the records)
The Director of Public Health

bks)3